

City Council Introduction: **Monday**, October 29, 2001
Public Hearing: **Monday**, November 5, 2001, at **1:30 p.m.**

Bill No. 01-167

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 3342**, from AG Agricultural to AGR Agricultural Residential, requested by Brian D. Carstens and Associates on behalf of John Rallis, on property generally located at So. 98th Street and Old Cheney Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 10/17/01
Administrative Action: 10/17/01

STAFF RECOMMENDATION: Approval

RECOMMENDATION: Approval (8-0: Carlson, Steward, Hunter, Taylor, Duvall, Newman, Bills and Schwinn voting 'yes'; Krieser absent).

FINDINGS OF FACT:

1. The staff recommendation to approve this change of zone request is based upon the following analysis:
 - A. The applicant has stated that the intended use is for a preliminary plat and Community Unit Plan for approximately six home sites.
 - B. The proposed change of zone is in conformance with the Comprehensive Plan Land Use Map.
 - C. There is acreage development north of Pioneers Blvd and to the northwest of the subject property.
 - D. The area is located outside the City's Future Service Limit.
2. This application was placed on the Consent Agenda of the Planning Commission on October 17, 2001, and opened for public hearing. No one came forward to speak.
3. On October 17, 2001, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 22, 2001

REVIEWED BY: _____

DATE: October 22, 2001

REFERENCE NUMBER: FS\CC\FSCZ3342

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone #3342

DATE: October 3, 2001

PROPOSAL: Brian Carstens and Associates on behalf of John Rallis requests a change of zone from AG, Agriculture to AGR Agricultural Residential.

CONCLUSION: The proposed change of zone is consistent with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 13 and 14, in the NE 1/4 of Section 11, T9N, R7E.

LOCATION: S. 98th Street and Pioneers Blvd.

APPLICANT: John Rallis
6149 Old Farm Court
Lincoln, NE 68512

CONTACT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402) 434-2424

EXISTING ZONING: AG, Agriculture

SIZE: 23 acres, more or less

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North: AG Agriculture, AGR Agricultural Residential north of Pioneers Blvd. and northwest of proposed site.

South: AG Agriculture

East: AG Agriculture

West: AG Agriculture, HiMark Golf Course

HISTORY:

1. Prior to 1979 the area was zoned AA Rural and Public Use District.
2. In 1979 zoning was changed from AA to Ag Agriculture District.
3. Nearby, Special Permit #1497 for Wildflower Farms Community Unit Plan, located approximately at 93rd Street and Pioneers Blvd., was approved by City Council on January 23, 1995.
4. Change of Zone #2813 from AG Agriculture to AGR Agricultural Residential was approved by City Council on January 23, 1995. This change of zone was in association with Special Permit #1497, Wildflower Farms C.U.P.
5. Nearby, Preliminary Plat #99006 for HiMark Estates, Special Permit #1423B for Community Unit Plan and a golf course and Change of Zone #3125 from AG to R-3 was approved by City Council on July 27, 1998.
6. Change of Zone #3294 to change portions of Hi Mark Estates from R-3 to AG and from AG to R-3 was approved by City Council on February 5, 2001.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Land Use Map of the Comprehensive Plan specifies this area as Residential Low Density.

The area is located outside the City Future Service Limit.

UTILITIES: There is a 3" water main on the west side of S. 98th Street. This area is served by Lancaster County Rural Water District #1.

TRAFFIC ANALYSIS: So. 98^h Street is a county gravel road.

PUBLIC SERVICE: Fire protection is provided by the Southeast Rural Fire District.

ANALYSIS:

1. The applicant has stated that the intended use is for a preliminary plat and Community Unit Plan for approximately six home sites.
2. The proposed change of zone is in conformance with the Comprehensive Plan Land Use Map.

3. There is acreage development north of Pioneers Blvd and to the northwest of the subject property.
4. The area is located outside the City's Future Service Limit.

Prepared by:

Tom Cajka
Planner

CHANGE OF ZONE NO. 3342

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

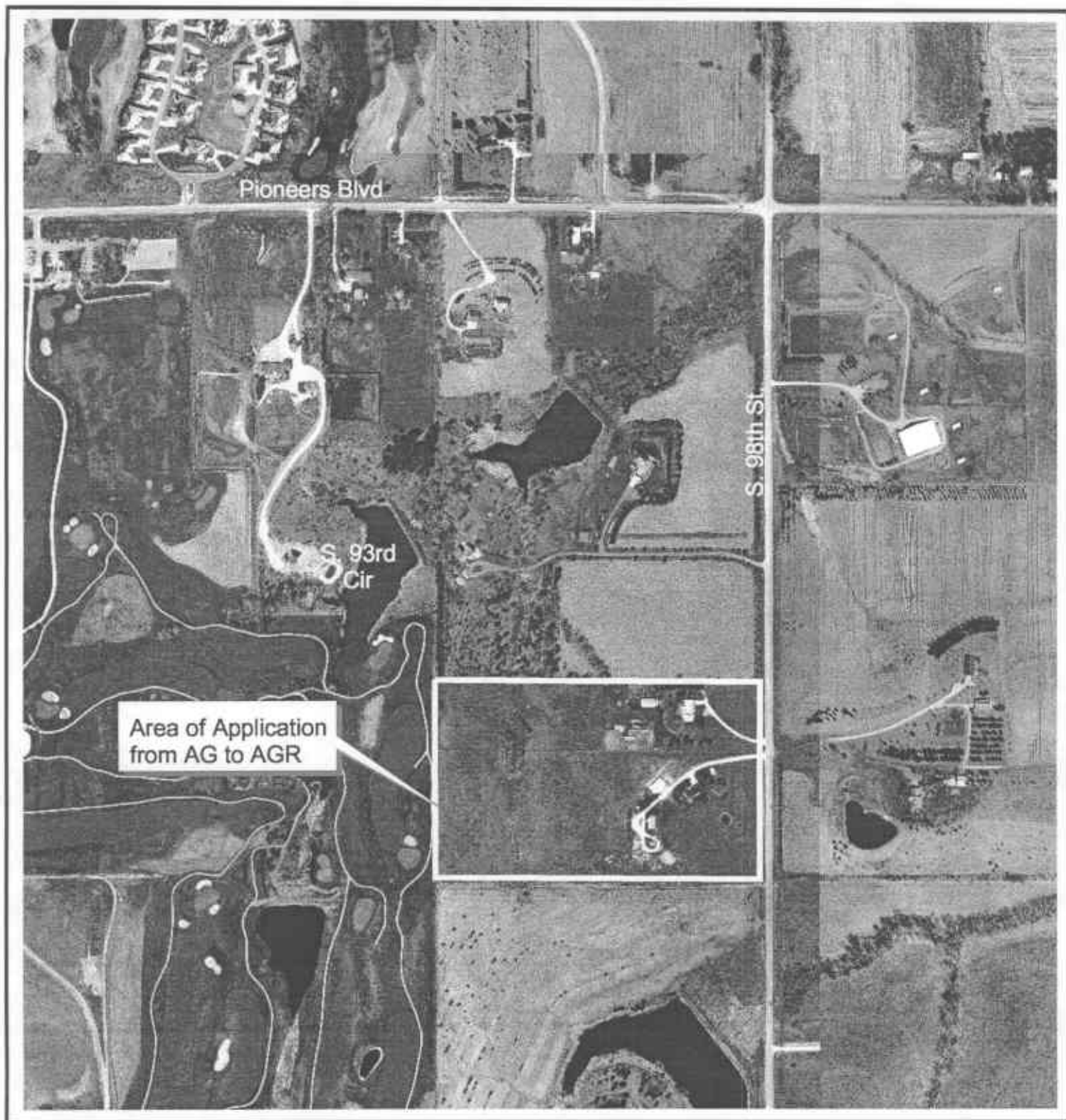
October 17, 2001

Members present: Bills, Carlson, Duvall, Hunter, Newman, Schwinn, Steward and Taylor; Krieser absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3336; CHANGE OF ZONE NO. 3342; SPECIAL PERMIT NO. 1935; SPECIAL PERMIT NO. 1936; SPECIAL PERMIT NO. 1938; FINAL PLAT NO. 01024, MORNING GLORY ESTATES ADDITION; ANNEXATION NO. 01003; and CHANGE OF ZONE NO. 3314.**

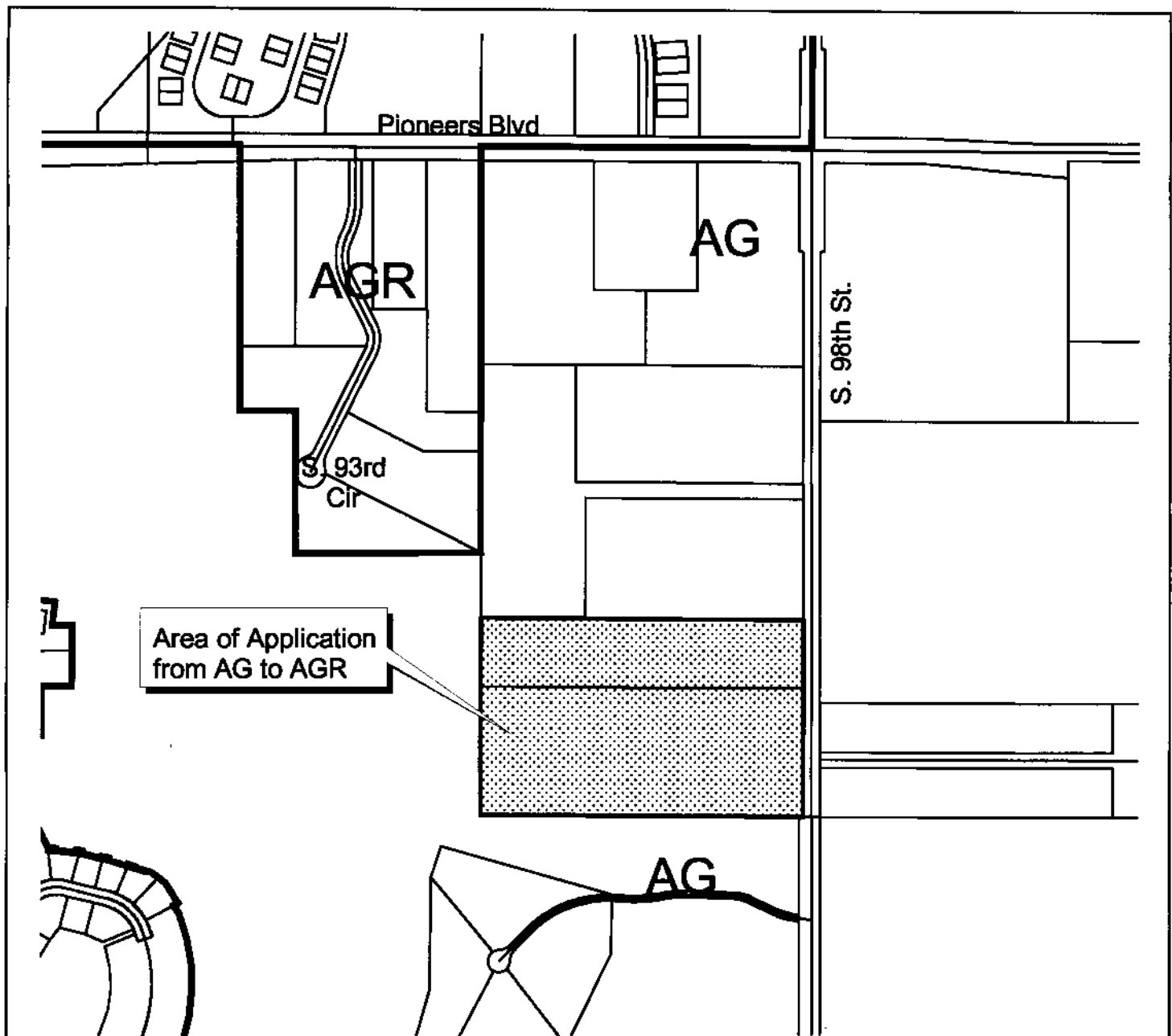
Steward moved to approve the Consent Agenda, seconded by Hunter and carried 8-0: Bills, Carlson, Duvall, Hunter, Newman, Schwinn, Steward and Taylor voting 'yes'; Krieser absent.

Note: This is final action on Special Permit No. 1936; Special Permit No. 1938; and Morning Glory Estates Addition Final Plat No. 01024, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Change of Zone #3342
So. 98th & Old Cheney Rd.**



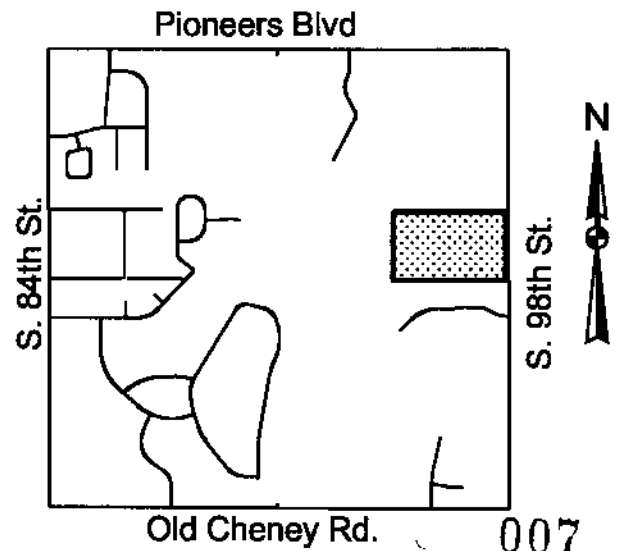
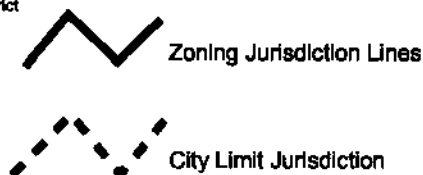


Change of Zone #3342 So. 98th & Old Cheney Rd.

Zoning:


R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	General Commercial District
H-4	Industrial District
I-1	Industrial Park District
I-2	Employment Center District
I-3	Public Use District
P	

One Square Mile
Sec. 11 T9N R7E



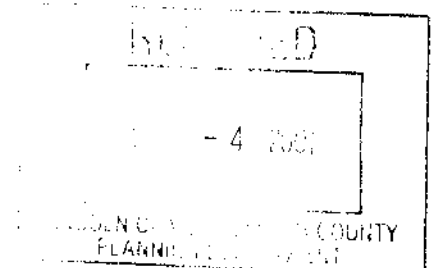
Date: 10-3-01
Lincoln City - Lancaster County Planning Dept.

M e m o r a n d u m

To: Tom Cajka, Planning
From:  Dennis Bartels, Engineering Services
Subject: Change of Zone AG to AGR
Date: October 2, 2001
cc: Roger Figard
Nicole Fleck-Tooze

Engineering Services has reviewed the requested change of zone from AG to AGR for a lot located 1/2 mile south of Pioneers Boulevard west of 98th Street and has the following comments:

1. This lot cannot be served with public sewer and water until sewer is available in the Stevens Creek watershed.
2. Subdivision into AGR type with lots makes future subdivision into urban lots more difficult because of the expense of building urban infrastructure improvements through acreages to serve other property or to serve the acreages with infrastructure.



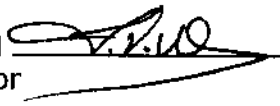


Lancaster
County

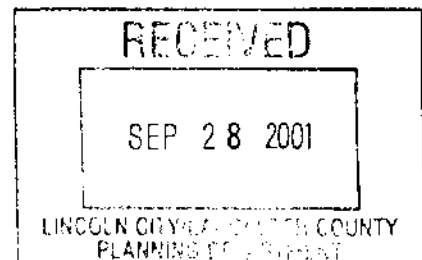
Engineering
Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: September 27, 2001
TO: Tom Cajka
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: CHANGE OF ZONE FROM "AG" TO "AGR"
LOT 13 & 14, NE¼ OF 11-9-7

Upon review, this office has no direct objections to this submittal.



LVW/rln
DOCS\ZONE\11-9-7 AG to AGR.wpd

009

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: 10/3/2001

DEPARTMENT: Planning

FROM: Chris Schroeder
Jerry Hood

ATTENTION:

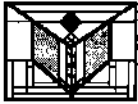
DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: CZ #3342

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the requested change of zone #3342 with the following noted:

- Sewage disposal is projected to be a wetlands communal type system. It is noted that there are two houses and a mobile home on this property. One home and the mobile home are to be removed and with the other home to remain on the property. All the present individual sewerage systems must be properly abandoned and any remaining homes must be connected into the communal sewerage system. Besides the LLCHD, the communal system plans must be approved by the Nebraska Department of Environmental Quality prior to construction.
- Water supply is proposed to be individual wells. Each well will be required to obtain a well construction permit prior to drilling from the LLCHD.



Rodger P Harris

10/08/2001 09:05
AM

To: Thomas J Cajka/Notes@Notes
cc: Chuck A Zimmerman/Notes@Notes
Subject: CZ 3342, S. 98th St. south of Pioneers Blvd., AG to AGR

We have no comments to offer regarding the above referenced CZ.